

**State of New Jersey  
PINELANDS COMMISSION  
SOLICITATION REQUEST**

<b>VENDOR NAME AND ADDRESS:</b>	<b>RETURN THIS SOLICITATION TO:</b>
TELEPHONE NUMBER: FAX NUMBER: FEDERAL ID NUMBER:	Pinelands Commission Purchasing PO Box 7 New Lisbon, NJ 08064 TELEPHONE NO.: (609) 894_7300, ext. 147 FAX NO.: 609-894-7334
<b>SHIP TO:</b> Pinelands Commission 15C Springfield Road New Lisbon, NJ 08064 Attn.: Purchasing	<b>THIS SOLICITATION MUST BE RETURNED BY 3:00 P. M. Friday, April 28, 2006</b>  Agency Contact: Dawn M. Rago
<b>SOLICITATION NUMBER: RFP-06-0002</b>  DATE PREPARED: March 3, 2005  NAME: Consulting Services for Wastewater System Management Programs	
<p>THIS IS A <b>REQUEST FOR PROPOSAL</b> FOR SERVICES AS PER ATTACHED SCOPE OF SERVICES see Page 3, Section III.</p> <p>Lump Sum Cost For: Task 1 _____ Task 2 _____ Task 3 _____ Task 4 _____ Task 5 _____</p> <p>Optional Task 6-Refer to Cost Proposal</p>	
<b>IMPORTANT INSTRUCTIONS TO VENDOR:</b> Fill in all requested information. After you have completed this solicitation, it must be signed and returned to the address indicated above.	
<b>VENDOR'S SIGNATURE AND DATE:</b>	<b>TITLE:</b>

**REQUEST FOR PROPOSALS  
RFP-06-0002**

**Consulting Services For Development of  
Onsite/Decentralized Wastewater System Management Programs In The New  
Jersey Pinelands**



## **Request for Proposal**

### **Technical Assistance OWTS System Management in the NJ Pinelands**

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#### **I. OVERVIEW**

The New Jersey Pinelands Commission is requesting proposals from qualified multi-disciplinary firms with expertise in the development and implementation of long term institutional programs, mechanisms, and strategies, for the management of small scale onsite/decentralized wastewater treatment and dispersal systems. For the purposes of this RFP, small scale onsite/decentralized wastewater treatment, also known as “onsite wastewater treatment systems” (OWTS) include residential and commercial, non-NJPDES septic and advanced wastewater treatment systems with design flows less than 2000 gallons per day. The Pinelands Commission is a regulatory and planning agency that oversees development, land use, and a wide range of resource management programs for the million-acre Pinelands National Reserve in Southern New Jersey. The consultant will develop detailed OWTS management recommendations for the State-designated Pinelands Area. As an optional service, the consultant may be asked to help one or more entities implement the recommendations.

The Pinelands Area includes portions of seven counties and all or part of 53 municipalities. Within the Pinelands Area, small-scale wastewater systems, those residential and non-NJPDES commercial systems with a maximum daily design flow of less than 2000 gallons per day, are subject to State wide minimum standards related to system location, design, installation, alteration, repair and operation. In some cases, additional county and municipal ordinances apply. The selected consultant will review existing statutes, rules and ordinances that govern all aspects of small scale onsite/decentralized wastewater systems and will develop new regulatory language, as needed, to provide the framework for the establishment of long-term institutional OWTS management programs in the Pinelands Area. The consultant will be expected to identify the broad range of OWTS management options available and identify which management options are best suited to the various existing institutional infrastructures throughout the Pinelands Area. It is the Commission’s expectation that the consultant will work with regional and sub-regional entities to develop support for wastewater management.

Demonstrated successful experience and expertise is sought in all aspects of community implementation of small scale onsite/decentralized wastewater management programs. Experience should include work at various levels of government. Specific experience should include the development of community support, the identification and communication of program goals, public outreach and involvement, development of maintenance and monitoring schedules, establishment and use of licensing and certification programs, development of regulatory language, enforcement mechanisms and compliance incentives, development of program budgets and funding mechanisms, and the development of records and data systems. The requested expertise may be provided by an individual organization or a team of consultants with a designated prime and subconsultant(s). Proposals are due to the Pinelands Commission by **April 28, 2006**. The Commission will enter into a fixed-price contract with the selected consultant.

#### **II. BACKGROUND**

Twenty-five years ago, the Pinelands Commission adopted the Pinelands Comprehensive Management Plan (CMP), N.J.A.C. 7:50, in response to the Federal National Parks and Recreation Act of 1978, Section 502 and the State Pinelands Protection Act, N.J.S.A. 13:18A-1 et seq. The CMP and its implementing legislation provides for the protection and maintenance of surface and ground water quality through the control of development and land use, in close

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cooperation and coordination with local, state, and federal governmental entities.

The CMP utilizes a regional approach to land preservation, land use and development. For example, the CMP limits the development of centralized wastewater treatment and collection infrastructure to Pinelands management areas that are planned to accommodate greater development intensities such as Pinelands Regional Growth Areas, Pinelands Towns and Pinelands Villages. Development outside the designated growth areas must rely upon decentralized/onsite wastewater systems designed in a manner that meets both the New Jersey Department of Environmental Protection's (DEP) and the Commission's environmental standards.

The primary focus of DEP's statewide small scale onsite wastewater regulations, (N.J.A.C. 7:9A-et seq.), is the protection of human health and the environment. Throughout the Pinelands, OWTS are designed, constructed, and operated in accordance with DEP's standards. In addition to DEP's design, construction and operational standards, the water quality provisions of the Pinelands CMP control the amount of nitrogen that enters the environment from OWTS. This is intended to preserve Pinelands ecosystems which are based on low ambient levels of nitrogen and is also based on the fact that nitrogen is both a significant pollutant and an indicator of changes in overall water quality.

The CMP utilizes a mass balance Septic Dilution Model to calculate the assimilative capacity of a parcel to remove and dilute nitrogen in wastewater. The model is used to calculate the minimum land area necessary to dilute nitrogen from an OWTS to concentrations that will comply with the Commission's 2 parts per million (ppm) nitrogen standard.

Applying the Pinelands Septic Dilution Model to a standard septic system, to which no nitrogen removal is attributed, requires a minimum 3.2 acre parcel to dilute the nitrogen concentration to 2 ppm at the property line for a single family dwelling.

Within the Pinelands and outside the designated sewer service areas, existing zoning in some regions allows for unsewered residential development on lots smaller than 3.2 acres, down to a minimum 1 acre. The Commission has historically sought to identify wastewater treatment technologies that could permit residential development on lots smaller than 3.2 acres while still complying with the water quality standards of the CMP. The Commission evaluated the use of waterless toilets, RUCK septic systems, and pressure dosing septic systems, all of which were reported to reduce nitrogen loading to groundwater. The Commission concluded that these technologies are insufficient at meeting the water quality standards of the CMP.

In 2000, the Pinelands Commission formed a special Committee to investigate alternate wastewater treatment technologies that would better meet the water quality requirements of the CMP through nitrogen attenuation. After researching available denitrification technologies, the Committee chose five technologies that can be expected to meet the water quality requirements of residential development. The Commission established an interim program under which these technologies may be used, provided that certain operation, maintenance, sampling, deed notice, warranty and system alarm requirements are met. The Alternate Design Wastewater Treatment Systems Pilot Program requires that alternative systems be used only in those municipalities which have adopted an ordinance to permit the use of such systems. Currently 34 out of a total of 40 eligible municipalities have adopted such ordinances. The pilot program provides for a

mandatory five year, prepaid operation and maintenance contract commencing at the time the home is initially occupied. The Commission is seeking to assist the local entities to develop and implement long term institutional arrangements for the management of the alternative technologies and intends to encourage the local entities to adopt management programs applicable to all onsite/decentralized wastewater systems.

The Commission has conducted several well attended seminars to help educate government officials, engineers and developers on the importance of proper onsite/decentralized system design, operation and maintenance; however, it is clear that without some combination of incentives and mandates, implementation of a comprehensive management program at the local or sub-regional level is unlikely to occur.

### **III. SCOPE OF WORK**

Consulting services are sought for the tasks outlined below. Major deliverables are itemized at the end of each task description. Consultants should plan to provide draft and final versions of each deliverable, in hard copy and electronic format (*the software and format to be used for documents, analyses, and other needs will be determined in consultation with the Commission at the start of the project*).

#### ***Task 1- Research the Legal Basis and Regulatory Framework of Onsite/Decentralized Wastewater Management in the Pinelands Area***

The consultant must understand the legal basis and regulatory framework of onsite/decentralized wastewater management throughout the Pinelands Area. A review of state statutes and regulations, and county, regional and municipal ordinances will be required, supplemented by a review of state and local guidance documents and model ordinances. The consultant must understand this framework before any OWTS management model, including those identified in the USEPA's Voluntary National Guidelines for the Management of Onsite and Clustered (Decentralized) Wastewater Systems, can be recommended. The consultant will need to interview administrative authorities (health departments, boards of health, etc.) to gain an understanding of the policies and practices of each regulatory entity. In addition, the consultant will need to gain familiarity with each of the area wide water quality management plans and will need to identify each of the wastewater utility authorities throughout the Pinelands Area. Moreover, the consultant shall identify by name, those entities which might potentially administer long term programs to manage onsite/decentralized wastewater systems.

#### **Task 1 Major Deliverables**

- Summary of state statutes, state regulations, county, regional, and municipal ordinances addressing onsite/decentralized wastewater management and regulation
- Summary of state and local guidance documents and model ordinances addressing onsite/decentralized wastewater management
- Summary of existing institutional entities that could potentially participate in the long term management of onsite/decentralized systems as responsible management entities including but not limited to health departments, boards of health, planning agencies, utility authorities, watershed associations, cooperatives, municipal and county engineering agencies or consultants, environmental commissions, etc.

- Summary of information obtained from interviews with the administrative authorities concerning administrative policies and practices applicable to onsite/decentralized wastewater systems.
- Summary of the area wide water quality management plans (wastewater management component) and a description of existing wastewater infrastructure.
- Summary of useful examples of management programs instituted both within and outside of New Jersey.

## ***Task 2 - Conduct Focus Group Meetings at various Pinelands Area Locations***

The consultant will need to understand local perceptions related to onsite/decentralized wastewater systems including their role in water pollution, real estate values and quality of life. This task should be conducted concurrent with Task 1 to enable the consultant to fully understand the realities of the existing institutional and legal framework as well as public perceptions. Whereas there is near unanimous support for onsite/decentralized system management among onsite wastewater system professionals, the public frequently fails to embrace such programs. In fact, if the management concept is not introduced appropriately, there is a risk that the public will reject the idea. The consultant will need to meet with a minimum of four focus groups to assess local perceptions and will be expected to subsequently introduce the concept of onsite/decentralized wastewater system management in a manner that is respectful of local perceptions and is sensitive to cost and privacy concerns. Pinelands Commission staff will assist the consultant in arranging for the four focus group sessions. Session locations will be selected so as to include a range of geographically and demographically distinct regions.

Efforts should be made by the consultant to include in the focus group meetings, individuals responsible for municipal and county policy making, including but not limited to the Pinelands Municipal Council and the State League of Municipalities, representatives of the New Jersey Environmental Health Association, and representatives of the Association of New Jersey Environmental Commissions.

The consultant, working with Commission Staff, will be responsible for all meeting arrangements, including reserving rooms and audio-visual equipment, inviting participants, compiling handouts (if any), facilitating the discussions, and documenting results.

Note: The consultant should feel free to propose alternative means of accomplishing this Task if such alternatives are thought to be more useful than the means identified herein.

The Commission's goal is to assist the local entities adopt onsite/decentralized management programs by providing them with multiple management options and management intensity levels.

### Task 2 Major Deliverables:

- Focus group questionnaires
- Handouts, graphics, and/or other materials for focus group meetings
- Focus group meeting summaries

***Task 3 – Conduct Public Outreach and Education Programs***

The consultant will work with Commission Staff in arranging and conducting a public education campaign to convey the environmental and economic benefits stemming from the local adoption of onsite/decentralized wastewater system management programs. In addition, the consultant will be expected to introduce and detail the various management models, mechanisms, strategies, and programs, specifically appropriate for implementation in the Pinelands. It is expected that Task 3 would be conducted upon completion of Tasks 1 and 2 and concurrent with Task 4. It is also expected that preliminary drafts (and the final draft if available) of the prioritized BMP manual will be used to inform the public outreach and education discussion during Task 3 activities.

A minimum of twelve such presentations shall be held over a twelve month period. Special emphasis must be made to connect with public officials and local decision makers, particularly local elected officials, appointees to local and regional environmental commissions and planning organizations, public health officials and grass roots level non-governmental organizations. The public education campaign should also include press releases and published announcements advertising the public outreach events. Examples of appropriate venues for outreach efforts include the Annual Pinelands Short Course, the Annual Pinelands Newly Elected Officials Seminar, Pinelands Municipal Council Meeting, Pinelands Alternate Design Wastewater Treatment System Pilot Program Seminar, New Jersey State League of Municipalities Annual Conference, New Jersey Environmental Health Association Annual Conference, and the Association of New Jersey Environmental Commissioners Annual Congress. As stated earlier, it will be desirable to include various individuals associated with these organizations and venues in the focus groups discussed in Task 2.

The consultant will need to prepare a minimum of four articles for inclusion in both Pinelands and DEP newsletters and web-site information to keep the Pinelands Area community apprised of onsite/decentralized management benefits and program progress.

The consultant, working with Commission Staff, will be responsible for all meeting arrangements, including reserving rooms and audio-visual equipment, inviting participants, compiling handouts (if any), facilitating the discussions, and documenting results.

The consultant will be expected to exercise best professional judgment and demonstrate creativity in obtaining community participation and “buy-in”. The consultant must conduct the outreach and education process in a manner that will avoid surprise responses at the conclusion of the process.

Note: The consultant should feel free to propose alternative means of accomplishing this Task if such alternatives are thought to be more useful than the means identified herein.

**Task 3 Major Deliverables:**

- Press Releases
- Newsletter Articles
- Web-Site Postings

- Handouts, graphic, electronic presentations and/or other materials for the public outreach meetings
- Meeting summaries
- Meeting announcement mailing lists and sign in sheets

***Task 4- Identify options available to local entities to manage onsite /decentralized wastewater management systems***

The consultant will need to identify and report on the various mechanisms and strategies available to local entities to achieve long-term institutional management of onsite/decentralized wastewater systems. It is likely that the consultant will reference the USEPA's Voluntary National Guidelines for the Management of Onsite and Clustered (Decentralized) Wastewater Systems. However, the consultant's report must be specific to the Pinelands Area in all respects, including but not limited to, naming specific potential responsible management entities and detailing management programs appropriate to the Pinelands Area. The report shall be in the form of a prioritized Best Management Practices (BMP) Manual. The BMP manual must identify all useful management models for the establishment of responsible management entities including but not limited to the following: 1.) Municipal/County Inter-local Agreement Model, 2.) Public/Private Utility Authority, 3.) Private Consultant (e.g. Municipal Engineer) Model, and 4.) Cooperative/Non-Profit Organization Model. The BMP manual must describe the advantages and disadvantages of each management model. The BMP manual must detail specific strategies and actions to be undertaken by the management entities to implement said management programs. The BMP manual must include model ordinances to facilitate local adoption of each of the management strategies. The Manual must provide an analysis of program costs and discuss various methods to finance the various management programs. The BMP Manual must detail in "How to Fashion" the key components of an effective management program including the inclusion of a database for inventorying new and existing systems, the establishment of baseline inspections of existing systems, development of periodic inspection schedules, system performance assessments, development of system licensing programs, funding mechanisms, compliance incentives, enforcement programs and program evaluation and revision procedures.

The consultant will be expected to introduce and detail the various management models, mechanisms, strategies, and programs, specifically appropriate for implementation in the Pinelands. The BMP manual must discuss the advantages and disadvantages of each, cost considerations, financing options, etc. during the execution of the public education and outreach activities identified in Task 3. It is expected that preliminary drafts (and the final draft if available) of the prioritized BMP manual will be used to inform the public outreach and education discussion during Task 3 activities.

The development of the prioritized BMP Manual shall include the preparation of two preliminary drafts, a final draft and a Final BMP Manual. The Final BMP manual should reflect feedback received during Tasks 3, 4, and 5.

**Task 4 Major Deliverables:**

- Onsite/Decentralized Wastewater Systems BMP Manual specific to Pinelands Area political institutions and regulatory structures (60 hard copies and 2 electronic copies)



- 60 Executive Summaries of the BMP Manual (60 hard copies and two electronic versions)

### ***Task 5 – Formal Presentations to the Pinelands Policy and Implementation Committee and the Pinelands Commission***

The consultant shall make a presentation of both the second and final drafts of the Best Management Practices Manual at meetings of the Pinelands Commission's Policy and Implementation Committee and a presentation of the Final BMP Manual at a meeting of the Pinelands Commission. The consultant shall prepare an illustrated executive summary/poster of the Final BMP Manual for presentation and distribution at the Pinelands Commission meeting.

#### Task 5 Major Deliverables:

- Presentations
  - Present second draft of the BMP Manual to P & I Committee
  - Present final draft of the BMP Manual to P & I Committee
  - Present final BMP Manual to the Pinelands Commission
- Illustrated executive summary/poster of the Final BMP Manual

### ***Task 6 – Optional Additional Alternate Services***

#### ***Additional Services – Implementation***

Once the prioritized Final BMP Manual is complete and the first local entity (ies) decide to take action to implement a management program, the consultant may be asked to assist one or more community(ies) to implement the management program. It is likely that this task will have multiple facets. For example, the consultant might help the community to develop a management program budget and funding plan, system licensing program, systems database, inspection protocols, compliance incentives and enforcement strategies. Because it is not possible to determine the exact scope of the additional services that the consultant may be asked to provide until the implementation process is underway or completed, the consultant must provide an hourly rate schedule, identify the individuals and their titles and provide resumes for the staff members who are likely to provide the following services:

- Meeting with public officials
- Budget development
- Ordinance customization
- Development of customized inspection frequency and protocols
- Participate in public hearing for ordinance adoption
- Data base customization

## **IV. EVALUATION FACTORS FOR AWARD**

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**A. Technical Proposals** will be evaluated by the Pinelands Commission according to the following three criteria, which are presented in descending order of importance. Standards for each criterion are followed by specific instructions for proposal preparation.

*1. Technical Approach* – Consultants must demonstrate the ability to provide the Pinelands Commission with the full range of services necessary to complete each of the Tasks in a timely fashion. To demonstrate this ability, an outline of the proposed technical approach shall be provided. Outlined approaches must reflect the ability to creatively, realistically and successfully achieve local support and implementation of onsite/decentralized wastewater management programs. The consultant should identify realistic incentives that could be offered to encourage the existing local entities to adopt management programs. The technical approach should also identify the role of regulatory mandates and discuss ways to make these mandates more acceptable to the local entities. Approaches must demonstrate an insight into the unique challenges likely to be faced by the Pinelands Commission in identifying willing responsible management entities. An understanding of likely local perceptions of onsite/decentralized wastewater management programs and the ability to overcome negative perceptions must be demonstrated in the proposal. The consultant will need to identify ways for the various Pinelands Area management entities to garner support from the regulated community for participation in a management program.

Consultants must describe their approach for performing each of the Tasks and how they will ensure a consistent physical presence in order to maintain project momentum and respond to unforeseen issues that may arise during the course of the project. Key personnel to be assigned to each Task and their estimated time commitments must be clearly identified. If the Consultant and/or its subconsultants are not located within the Pinelands region or the surrounding metropolitan area, the proposal should describe how communications and work will be accomplished in a timely and cost-effective manner.

Consultants must identify specifically how they will work with local and regional decision makers as well as grass roots entities. One of the primary objectives of the project is to bring focus to the benefits of onsite/decentralized management programs, and offer acceptable means for the local entities to finance the management programs. It is important that the consultant identify means to overcome possible “state mandate, state pay” objections. The proposal must also identify the technique(s) the consultant will use to elicit input from the local and regional decision makers and the public.

Consultants must also include a schedule for completing the major Tasks. It is hoped that the project can be completed within 24 months of the award (see Part V below), but consultants may propose an alternate timetable if needed to maintain an orderly work program and produce a quality product.

Note: The consultant is encouraged to propose alternative approaches if he/she can demonstrate that such alternative approaches would better meet the needs and objectives of the RFP.

*2. Personnel Experience* - The selected consultant will be expected to provide the Pinelands Commission with documentation to substantiate prior successful experience and expertise in the development and implementation of onsite/decentralized wastewater system management

programs. Consultants should highlight their experience in developing and implementing onsite/decentralized wastewater management programs, especially experience in developing programs utilizing various forms of responsible management entities. Proposed personnel must demonstrate an ability to comprehend the wide array of existing regulatory and organizational structures within the seven Pinelands Area counties and fifty-three Pinelands Area municipalities and demonstrate an ability to develop management models that are suitable for use in all of these diverse settings.

Consultants must clearly identify the roles and responsibilities of all proposed project personnel, including team members (if any) and sub-consultants (if any). The proposal must include the total number of hours, itemized by specific tasks, that each of the project personnel will devote to the project. The proposal must describe the relevant experience and training of the project manager/leader and all other project personnel. The proposal must document each project participant's experience in the development, promotion and implementation of other onsite/decentralized wastewater management programs. Experience with, and knowledge of, applicable New Jersey laws and regulations is desirable but not mandatory. Please provide a resume and other professional and academic credentials, awards, and forms of recognition for all proposed project personnel. Resumes for all proposed personnel must be included as an attachment (resumes are limited to 2 pages per proposed staff member).

3. *Organizational Experience* - The selected consultant will bring to the Pinelands Commission all resources necessary to complete the required Tasks, including experience in managing projects of similar size and scope, knowledge of other successful efforts nationwide that may be applicable to this project, and availability of appropriate software for the management of onsite/decentralized wastewater systems.

Consultants must summarize the experience of their organization and subconsultants in designing and implementing similar management programs and provide the names and phone numbers of at least four references that the Commission may contact. A limited number of example deliverables developed for other pertinent projects may be included as an attachment.

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**B. Cost Proposal** - In addition to evaluating responses by the above criteria, the Pinelands Commission will consider the consultant's proposed cost to complete the required Tasks. Consultants must provide a **fixed price** cost for this project in a cost proposal that is separate from the technical proposal addressing the evaluation criteria. Cost proposals must show costs to complete each of the Tasks described above (Tasks 1 through 5) and be based on the hourly rates and estimated time commitment for each of the staff members who will perform the work.

A separate cost proposal must also be provided for **Task 6 – Optional Additional Alternate Services – Management Implementation**, including an hourly breakdown for such services. The Task 6 cost proposal must identify all reimbursable costs in addition to hourly rates. The Commission intends to reimburse for direct travel costs but will not pay an hourly rate for travel time.

**It is important to note that costs must be shown with an accompanying breakdown that**

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**clearly specifies expenses for labor, travel, administrative, and other costs as necessary. Proposals that do not include this cost breakdown will not be considered.**

***Conflict of Interest Avoidance*** - This project requires an objective and unbiased approach in order to facilitate the development and implementation of onsite/decentralized wastewater management programs. To prevent an appearance of subjectivity, any person, corporation, company, consortium, firm or entity and any associate, partner, agent or affiliate thereof that is currently, or was during the past 5 years, employed or retained by a developer, applicant, municipality or county in the Pinelands Area, may be prohibited from working on this contract if a significant conflict of interest is deemed to exist by the Pinelands Commission. Consultants must specify the type of project, client (municipality, developer, other), dollar value, and completion date for all such work performed during the last five years. The Commission reserves the right to award the contract to a bidder who previously did work for a developer, applicant, municipality or county in the Pinelands Area if it determines that no significant conflict of interest exists. Additionally, and to further prevent an appearance of impropriety or subjectivity, any person, corporation, company, consortium, firm or entity and any associate, partner, agent or affiliate thereof awarded the contract resulting from this procurement will be precluded during the contract period from engaging in work for any developer active in the Pinelands Area or any person, corporation, company, consortium, firm or entity located in or doing work for a developer, applicant, municipality or county in the Pinelands Area.

## V. SCHEDULE FOR AWARD

A **mandatory pre-bid conference** is scheduled for 1:00 p.m., March 28, 2006 at the Pinelands Commission Offices, 15 Springfield Road, New Lisbon, NJ 08064. Directions to the Pinelands Commission are attached. **By March 21, 2006 consultants who will be attending the pre-bid conference must RSVP Dawn Rago, Purchasing Agent, at 609/894-7300, or, if unable to attend in person, should request to participate via conference call.** Interested consultants are encouraged to submit written questions in advance of the pre-bid conference by faxing them to the attention of Dawn Rago, 609/894-7330. Questions may be submitted after the pre-bid conference but must be received by the Commission no later than March 27, 2006. Written responses in the form of addendum(s) will be provided to all prospective bidders, via e-mail following the pre-bid conference.

The Pinelands Commission will form an evaluation committee to review all proposals. All proposals shall consist of two separately sealed sub-proposals. One sealed package shall consist of the Technical Proposal and one sealed package shall consist of the Cost Proposal. The Committee will first evaluate all sealed Technical Proposals and will not open and evaluate the separate Cost Proposals until such time as the Technical Proposals are opened and evaluated. It is likely that the evaluation committee will interview one or more consultants to clarify proposal information before final award.

Although subject to change, the Pinelands Commission anticipates making an award for this proposal by late June, 2006. A kick-off meeting involving Commission staff members and the consultant(s) will be scheduled shortly thereafter.

## VI. Instructions for Preparing Proposals

While consultants are not required to follow a standard format in preparing their proposals, they

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are encouraged to structure their response in accordance with the evaluation criteria. Proposals should be as succinct as possible, with inclusion of deliverable samples limited to those items with direct relevance to the Scope of Work (samples will not be returned so consultants are advised to exclude original documents from the proposal). Ten (10) copies of the Technical Proposal must be provided. One copy of the Cost Proposal should be submitted in a separate, sealed envelope. *The solicitation number for this RFP must appear on the outside envelope used to mail the proposal.* A letter addressed to John Stokes, Executive Director, with the final proposals must be received by the Pinelands Commission no later than **3:00 p.m. (Eastern) on Friday, April 28, 2006**, and should be sent to the attention of:

Dawn Rago  
Purchasing Agent  
The Pinelands Commission  
P.O. Box 7  
New Lisbon, NJ 08064

If hand-delivered or express mailed, consultants should note that the Commission's street address is 15 Springfield Road, New Lisbon, NJ 08064.

## VII. Attachments

New Jersey Pinelands Commission Terms and Conditions  
Affirmative Action Regulations P.L. 1975, C.127 (N.J.A.C. 17:27)  
Corporate Disclosure Statement  
Non-Collusion Affidavit  
No Bid Response Form

## VIII. Bid Document Checklist *(if marked, document is required)*

	<i>Check if enclosed</i>
<input checked="" type="checkbox"/> New Jersey State Business Registration Certificate .....	<input type="checkbox"/>
<input checked="" type="checkbox"/> References.....	<input type="checkbox"/>
<input checked="" type="checkbox"/> Federal W-9 Request .....	<input type="checkbox"/>
<input checked="" type="checkbox"/> Executive Order 134 Certification .....	<input type="checkbox"/>
<input checked="" type="checkbox"/> Affirmative Action Regulations.....	<input type="checkbox"/>
<input type="checkbox"/> Bid Guarantee (with Power of Attorney for full amount of Bid Bond).....	<input type="checkbox"/>
<input checked="" type="checkbox"/> Corporate Disclosure Statement .....	<input type="checkbox"/>
<input checked="" type="checkbox"/> Non-Collusion Affidavit .....	<input type="checkbox"/>
<input checked="" type="checkbox"/> Stockholders Disclosure Certification .....	<input type="checkbox"/>

## **NEW JERSEY PINELANDS COMMISSION TERMS AND CONDITIONS**

The following terms and conditions shall apply to all contracts or purchase agreements made with the State of New Jersey Pinelands Commission as a result of this Solicitation Request. Refer to RFP. NO. (see solicitation cover sheet) in all written and verbal correspondence.

1. **LAWS** - The contractor must comply with all local, state and federal laws, rules and regulations applicable to this contract and to the goods delivered or services performed, including but not limited to Anti-Discrimination Laws (N.J.S.A. 10:2-1 through 10:2-4, N.J.S.A. 10:5-1 et seq. and N.J.S.A. 10:5-31 through 10:5-38); The Workers and Community Right to Know Act (N.J.S.A. 34:5A-1 et seq.); Corporate Authority (N.J.S.A. 14A:1-1 et seq.); Americans with Disabilities Act (42 U.S.C. §12101, et seq.); Set-Off for State Taxes and Child Support (N.J.S.A. 54:49-19, 20); Prompt Payment Act (N.J.S.A. 52:32-32 et seq.); and Compliance of Codes (New Jersey Uniform Construction Code {NJUCC}, NEC70, B.O.C.A. Basic Building Code, OSHA and must be responsible for securing and paying for all necessary permits where applicable.

2. **STATE LAWS** - Any contracts and/or orders placed as a result of this proposal shall be governed and construed in accordance with the laws of the STATE OF NEW JERSEY.

3. **LIABILITY-COPYRIGHT** - The contractor shall hold, save the State of New Jersey Pinelands Commission, its officers, agents, servants and employees, harmless from liability of any nature or kind for or on account of the use of any copyrighted or un-copyrighted composition, secret process, patented or unpatented invention, article or appliance furnished or used in the performance of this contract.

4. **INDEMNIFICATION** - The contractor shall assume all risk of and responsibility for, and agrees to indemnify, defend, and save harmless the State of New Jersey Pinelands Commission and its employees from and against any and all claims, demands, suits, actions, recoveries, judgment and costs and expenses in connection therewith on account of the loss of life, property or injury or damage to the person, body or property of any person or persons whatsoever, which shall arise from or result directly or indirectly from the work and/or materials supplied under this contract. This indemnification obligation is not limited by, but is in addition to the insurance obligations contained in this agreement.

5. **INSURANCE** - The contractor shall secure and maintain in force for the term of the contract liability insurance as follows:

a. General liability policy as broad as the standard coverage forms currently in use in the State of New Jersey shall not be circumscribed by any endorsements limiting the breadth of coverage. The policy shall be endorsed to include:

1. Broad Form Comprehensive General Liability
2. Products/Completed Operations
3. Premises/Operations

The Limits of liability for bodily injury and property damage shall not be less than \$1 million per occurrence as a combined single limit.

b. Automobile liability insurance which shall be written to cover any automobile used by the insured. Limits of liability for bodily injury and property damage shall not be less than \$1 million per occurrence as a combined single limit.

c. Workers' Compensation Insurance applicable to the laws of the State of New Jersey and Employers Liability Insurance with limits of not less than:

\$100,000 Bodily Injury, Each Occurrence

\$100,000 Disease Each Employee

\$500,000 Disease Aggregate Limit

The insurance certificates effectuating these coverages must provide for thirty (30) day written notice to the attention of the Director, Division of Purchase and Property prior to cancellation. The consultant/contractor shall, upon the Pinelands Commission's request, provide current certificates of insurance for all coverages and renewals thereof.

**6. PERFORMANCE GUARANTEE OF CONSULTANT** - The consultant certifies that:

a. The equipment offered is standard new equipment, is in current production and the latest model of regular stock product, with parts regularly used for the type of equipment offered, that such parts are all in production and not likely to be discontinued; also, that no attachment or part has been substituted or applied contrary to manufacturer's recommendations and standard practice.

b. All equipment supplied to the Pinelands Commission and operated by electrical current is UL listed where applicable.

c. For all equipment purchases, the consultant shall provide the manufacturer's standard warranty. The contractor will render prompt service, without charge, regardless of geographic location. During the warranty period, the contractor shall replace immediately any material which is rejected to failure to meet the requirements of the contract.

d. Sufficient quantities of parts necessary for proper service to equipment will be maintained at distribution points and service headquarters.

e. All services rendered to the Pinelands Commission shall be performed in strict and full accordance with the specifications stated in the contract/purchase order. The contract shall not be considered complete until final approval by the Pinelands Commission is rendered.

f. All goods and services to be provided are warranted and fit the particular purpose for which the using agency solicits this quotation.

**7. BRAND NAME ALTERNATIVES** - Brand names and/or descriptions used in this proposal are to acquaint consultants with the type of commodity desired and will be used as a standard by which alternate or competitive materials will be judged. Competitive items must be equal to the standard described and be of the same reputation for quality and workmanship. Variations between the materials described and materials offered must be fully explained by the consultant in an accompanying letter. In the absence of any changes by the consultant, it will be presumed and required that material as described in the proposal be delivered.

**8. PRICE QUOTATIONS** - Insert prices for furnishing all or any portion of the goods or services described. All prices quoted shall be firm through issuance of contract/purchase order and for delivery of quantities specified, and shall not be subject to increase during the period of the contract/purchase order. Prices shall be net and must include all transportation charges fully prepaid by the contractor, F.O.B. Destination.

**9. TAX CHARGES** - The State of New Jersey Pinelands Commission is exempt from State sales or use taxes and Federal excise taxes, and they must not be included in the proposal price or invoice.

**10. PAYMENT** - Payments will only be made against consultant's invoices. All goods and

services are to be billed at the prices quoted. Payment will be made within sixty (60) days of receipt of invoice or certification that goods and/or services have been received, whichever is later.

11. CASH DISCOUNTS - Consultants are encouraged to offer cash discounts based on expedited payment by the Pinelands Commission. The Pinelands Commission will make efforts to take advantage of discounts, but discounts offered will not be considered in determining the lowest quote.

a. Discount periods shall be calculated starting from the next business day after the recipient has accepted the goods and services, and received a proper invoice.

b. The date on the check issued by the Pinelands Commission in payment of that invoice shall be deemed the date of the Pinelands Commission's response to that invoice.

12. STANDARDS PROHIBITING CONFLICTS OF INTEREST - All contracts or purchase agreements made with the State of New Jersey Pinelands Commission must comply with N.J.S.A. 52:13D-12 et seq., concerning standards prohibiting conflicts of interest on the part of public officials, and Executive Order No. 189 (1988) relating to the solicitation and/or payment of any fee, commission, compensation, gift, gratuity or other thing of value by a consultant to a public official to secure favored treatment. The provisions of N.J.S.A. 52:13D-12 et seq. and Executive Order No. 189 (1988) will be included on the purchase order issued to the award-winning consultant.

13. EQUAL EMPLOYMENT - If awarded a contract your company/firm will be required to comply with the requirements of P.L. 1975, C. 127 (N.J.A.C. 17:27).

14. BUSINESS REGISTRATION CERTIFICATE - In accordance with Public Law 2001, Chapter 134 all contractors and subcontractors providing goods/services to State Agencies are required to provide the contracting agency with proof of registration with the State of New Jersey, Department of the Treasury, Division of Revenue. This proof is to be submitted in the form of a Business Registration Certificate.

15. EXECUTIVE ORDER 134 - In order to safeguard the integrity of State government procurement by imposing restrictions to insulate the award of contracts from political contributions that pose the risk of improper influence, purchase of access, or the appearance thereof, Executive Order 134 was signed on September 22, 2004. If a contract/purchase order is awarded that exceeds \$17,500, the awardee shall be required to satisfy the requirements of Executive Order 134.





State of New Jersey

THE PINELANDS COMMISSION

PO Box 7

NEW LISBON NJ 08064

(609) 894-7300

JON S. CORZINE  
Governor

JOHN C. STOKES  
Executive Director

**AFFIRMATIVE ACTION REGULATIONS**  
**P.L. 1975, C.127 (N.J.A.C. 17:27)**

If awarded a contract, all procurement and service contractors will be required to comply with the requirements of P. L. 1975, C.127, (N.J.A.C. 17:27). Within seven (7) days after receipt of the notification of intent to award the contract or receipt of the contract, whichever is sooner, the contractor should present one of the following to the Purchasing Agent:

1. A photocopy of a valid letter from the U. S. Department of Labor that the contractor has an existing federally-approved or sanctioned Affirmative Action Plan (good for one year from the date of the letter).
2. A photocopy of approved Certificate of Employee Information Report.
3. An affirmative Action Employee Information Report (Form AA302).

NO FIRM MAY BE ISSUED A CONTRACT UNLESS IT COMPLIES WITH THE AFFIRMATIVE ACTION REGULATIONS OF P.L. 1975, C. 127.

All bidders must answer the following questions:

1. Do you have a federally approved or sanctioned Affirmative Action Program?  
YES \_\_\_\_\_ NO \_\_\_\_\_
2. Do you have a Certificate of Employee Information Report Approval from the State of New Jersey?  
YES \_\_\_\_\_ NO \_\_\_\_\_

If yes, please submit a copy of such certificate.

The undersigned contractor certifies that he/she is aware of the commitment to comply with the requirements of P.L. 1975, C.127 and agrees to furnish the required documentation pursuant to the law.

COMPANY: \_\_\_\_\_ SIGNATURE \_\_\_\_\_

TITLE: \_\_\_\_\_ NAME (print): \_\_\_\_\_



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## **CORPORATE DISCLOSURE STATEMENT**

Chapter 33 of the Public Laws of 1977 (NJSA 52:25-24.2) provide in part that no partnership or corporation shall be awarded any Contract for the performance of any work of the furnishing or any materials or supplies unless there is submitted a statement containing the following information:

If the bidder is a corporation or partnership then the statement shall set forth the names and addresses of all stockholders or partners who own 10% or more of its stock of any class.

If a corporation owns all or part of the stock of the corporation or partnership submitting the bid, then the statement shall include a list of the stockholders who own 10% or more of the stock of any class of the owning corporation.

If no stockholder or partner owns 10% or more of the bidding company then an officer of the company shall sign declaring that fact.

If the bidding company is a sole proprietorship he shall sign declaring that fact.

Failure to supply this information with your bid proposal may be cause for rejection.

☐ Sole Proprietorship

☐ Partnership

☐ Corporation

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Name (print):

Signature:

Date:



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E-mail: [info@njpinelands.state.nj.us](mailto:info@njpinelands.state.nj.us)

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Executive Director

## Effective October 15, 2004 Executive Order 134 Certification

**Bidder:** \_\_\_\_\_

**Solicitation Number:** \_\_\_\_\_

For the purpose of this Certification:

“Business Entity” - means any natural or legal person, business corporation, professional services corporation, limited liability company, partnership, limited partnership, business trust, association or any other legal commercial entity organized under the laws of New Jersey or any other state or foreign jurisdiction. It also includes (i) all principals who own or control more than 10 percent of the profits or assets of a business entity or 10 percent of the stock in the case of a business entity that is a corporation for profit, as appropriate; (ii) any subsidiaries directly or indirectly controlled by the business entity; (iii) any political organization organized under 26 U.S.C.A. § 527 that is directly or indirectly controlled by the business entity, other than a candidate committee, election fund, or political party committee; and (iv) if a business entity is a natural person, that person’s spouse or child, residing in the same household. A separate certification is required for each person or organization defined above as a Business Entity.

“Contribution” – means a Contribution reportable by the recipient under the “New Jersey Campaign Contributions and Expenditures Reporting Act,” P.L. 1973, c.83 (C.19:44A-1 et seq.), and implementing regulations set forth at N.J.A.C. 19:25-10.1 et seq. Currently, Contributions in an amount in excess of \$400 during a reporting period are deemed “reportable” under these laws. As of January 1, 2005, that threshold will be reduced to Contributions in excess of \$300.

I hereby certify as follows:

1. Commencing on and after October 15, 2004, the below named person, company or organization has not solicited or made any Contribution of money, pledge of Contribution, including in-kind Contributions, as set forth below that would bar the award of a contract to the Bidder, pursuant to the terms of Executive Order 134, signed by Governor James E. McGreevey on September 22, 2004 (hereafter “E.O. 134”).

**a) Within the 18 months (from October 15, 2004) immediately preceding the Solicitation, the Business Entity has not made a Contribution to:**



(i) Any candidate committee and/or election fund of any candidate for or current holder of the public office of Governor; or

(ii) Any State or county political party committee

**b. Effective October 15, 2004, during the term of office of the current Governor, the Business Entity has not made a Contribution to:**

(i) Any candidate committee and/or election fund of the Governor; or

(ii) Any State or county political party committee nominating such Governor in the election preceding the commencement of said Governor's term.

**c. Effective October 15, 2004, within the 18 months immediately preceding the last day of the term of office of the Governor, the Business Entity has not made a Contribution to:**

(i) Any candidate committee and/or election fund of the Governor; or

(ii) Any State or County political party committee of the political party nominating such Governor in the last gubernatorial election preceding the election. In the event such a Contribution has been made, the Business Entity will be barred from receiving the award of a contract throughout the remaining term of the current Governor and the full term of the next Governor.

2. If the Bidder is awarded a contract pursuant to the solicitation for this bid proposal, the below-named person or organization will, on a continuing basis, continue to report any Contributions it makes during the term of the contract, and any extension(s) thereof.

3. This certification is submitted to the Division of Purchase and Property (the "Division") in order to induce the Division to accept the Bidder's bid proposal, with knowledge that the Division is relying on the truth of the statements contained herein, and that compliance with EO 134 is a material term of any contract awarded pursuant to the solicitation for this bid proposal.

I certify that, to the best of my knowledge and belief, the foregoing statements by me are true. I am aware that if any of the statements are willfully false, I am subject to punishment.

Company or Organization: \_\_\_\_\_

By: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

**Relationship to Contractor (check one):**

☐ Officer or other authorized representative

☐ Principal

☐ Political Organization

☐ Subsidiary

☐ Spouse or child



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Executive Director

## **NON-COLLUSION AFFIDAVIT**

TO: The Pinelands Commission

I, \_\_\_\_\_ residing in \_\_\_\_\_  
(Name of affidavit) (Name of Town)  
in the County of \_\_\_\_\_ and State of \_\_\_\_\_ of full age, being  
duly sworn according to law on my oath depose and say that:

I am \_\_\_\_\_ of the firm of \_\_\_\_\_  
(Title or Position) (Name of firm)  
\_\_\_\_\_ the bidder making this Proposal for the bid proposal  
entitled \_\_\_\_\_, and that I executed the said proposal with full  
(Proposal Name)

Authority to do so, that said bidder has not, directly or indirectly entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free, competitive bidding in connection with the above named project; and that all statements contained in said proposal and in this affidavit are true and correct, and made with full knowledge that the New Jersey Pinelands Commission relies upon the truth of the statements contained in said Proposal and in the statements contained in this affidavit in awarding the contract for the said project.

I further warrant that no person or selling agency has been employed or retained to solicit or secure such contract upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, except bona fide employees or bona fide established commercial or selling agencies maintained by

\_\_\_\_\_  
(Name of Firm)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
Type or print Name)



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## **NO BID RESPONSE FORM**

Bid Name and Number \_\_\_\_\_

Bid Opening Date: \_\_\_\_\_

If you decide not to submit a bid, won't you please complete the following?

We are not submitting a bid for the following reason(s)?

\_\_\_\_ Can not comply with specifications

\_\_\_\_ Unable to meet Delivery

\_\_\_\_ Can not comply with terms/conditions. (Please state which ones.)

\_\_\_\_ Do not sell/manufacture type of items involved.

\_\_\_\_ Not interested at this time.

\_\_\_\_ We do \_\_\_\_ do not \_\_\_\_ want to remain on the mailing list for future bid.

Other: \_\_\_\_\_  
\_\_\_\_\_

Please make any changes, if necessary.

Company Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

Contact Person \_\_\_\_\_ Title: \_\_\_\_\_

Telephone Number \_\_\_\_\_ Fax Number: \_\_\_\_\_

\*\*Please return to the above address attention to Dawn M. Rago



<http://www.nj.gov/pinelands/>

E-mail: [info@npjines.state.nj.us](mailto:info@npjines.state.nj.us)

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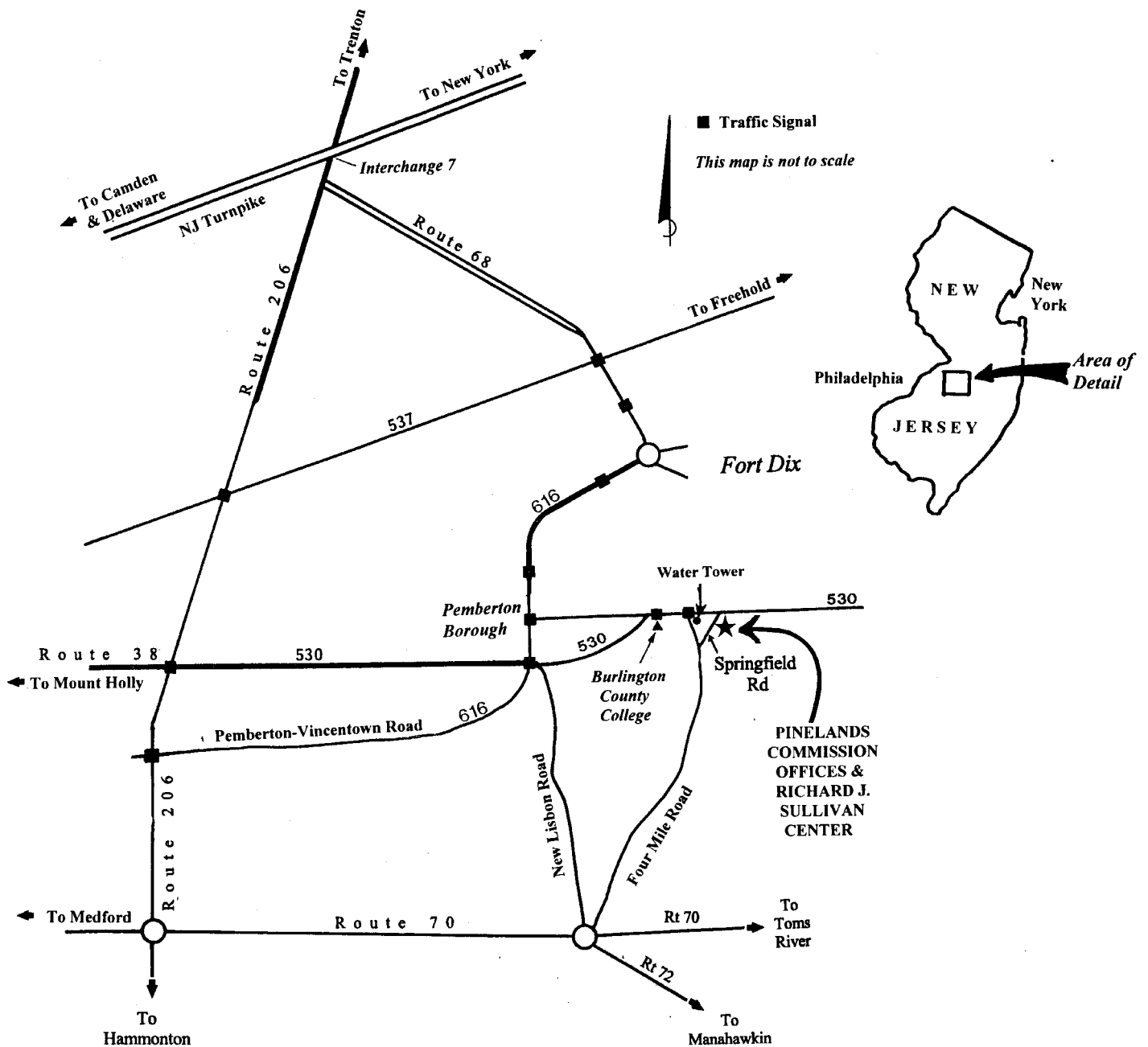


# ***Location & Directions: Pinelands Commission Offices & Richard J. Sullivan Center for Environmental Policy & Education***

*15 Springfield Rd., New Lisbon, Pemberton Township, NJ*

New Jersey Pinelands Commission  
P.O. Box 7, New Lisbon, NJ 08064  
*John C. Stokes, Executive Director*

phone: 609-894-7300  
fax: 609-894-7330  
[www.nj.gov/pinelands](http://www.nj.gov/pinelands)



### **FROM NORTHERN NEW JERSEY**

Take the New Jersey Turnpike South to Exit 7. Follow Route 206 South for approximately ten miles. At the intersection of State Route 38/County Route 530 (Vincentown Diner on right), turn left at the traffic light onto Route 530. Follow Route 530 several miles to the double traffic lights (Sunoco Station and Burger King on left and Dunkin Donuts on right). Continue straight onto the Pemberton Bypass (still Route 530). Continue east until the road ends (Burlington County College on right). Turn right. You are still on Route 530. Follow Route 530 through two traffic lights (past the water tower on right and Pemberton Township Municipal Building on left). Turn right at the next street, Springfield Road. The Pinelands Commission is just ahead on left.

### **FROM INTERSTATE 295 (Delaware, Woodbury, Cherry Hill, Trenton)**

Exit Route 295 at Exit 40 and pick up Route 38 East toward Mount Holly. Go about ten miles to the intersection with US Route 206 and continue straight through the intersection onto County Route 530. Follow Route 530 several miles to the double traffic lights (Sunoco Station and Burger King on left and Dunkin Donuts on right). Continue straight onto the Pemberton Bypass. Continue east until the road ends (Burlington County College on right). Turn right. You are still on Route 530. Follow Route 530 through two traffic lights (past the water tower on right and Pemberton Township Municipal Building on left). Turn right at the next street, Springfield Road. The Pinelands Commission is just ahead on left.

### **FROM PHILADELPHIA VIA BEN FRANKLIN BRIDGE ( and north Camden)**

After crossing the bridge, stay to the left and follow signs for US Route 30 East - Admiral Wilson Blvd. Stay on Route 30 briefly and follow signs for State Route 38 East. Continue on Route 38 for approximately 15 miles to the intersection with US Route 206. Continue straight through the intersection onto County Route 530. Follow Route 530 several miles to the double traffic lights (Sunoco Station and Burger King on left and Dunkin Donuts on right). Continue straight onto the Pemberton Bypass. Continue east until the road ends (Burlington County College on right). Turn right. You are still on Route 530. Follow Route 530 through two traffic lights (past the water tower on right and Pemberton Township Municipal Building on left). Turn right at the next street, Springfield Road. The Pinelands Commission is just ahead on left.

### **FROM PHILADELPHIA INTERNATIONAL AIRPORT (and South Camden)**

From Philadelphia International Airport, follow signs for Route 95 North. Take Exit 15 ( I-76 East - Packer Avenue) to the Walt Whitman Bridge (and New Jersey). On the down side of bridge, keep to the right following the signs for Interstate 295 North. As you merge into traffic, stay to the right to take exit 1B to 295 North. Follow Route 295 North approximately 14 miles to Exit 40. Follow Directions above "FROM INTERSTATE 295."

### **FROM ATLANTIC CITY & CAPE MAY**

Take the Garden State Parkway North to Exit 58. Take Route 559 North approximately ten miles to the intersection with Route 72. Turn left onto Route 72 West and go approximately 14 miles to the Four Mile Circle. Take the second road (Four Mile Road) off the circle and continue several miles to the Village of New Lisbon (post office on right). Bear right onto Springfield Road and the Pinelands Commission is about a quarter mile ahead on right

### **FROM TOMS RIVER & ASBURY PARK**

Take State Routes 70 or 37 East to Lakehurst. From Lakehurst, take Route 70 West approximately 12 miles to County Route 530 on the right. Take Route 530 West approximately 8 miles (through Browns Mills), and turn left onto Springfield Road. Pinelands Commission is just ahead on left

### **FROM HAMMONTON & INTERIOR SOUTH JERSEY**

Take US Route 206 North approximately 24 miles from Hammonton to the intersection with State Route 38/County Route 530. Turn right onto Route 530. Follow Route 530 several miles to the double traffic lights (Sunoco Station and Burger King on left and Dunkin Donuts on right). Continue straight onto the Pemberton Bypass. Continue east until the road ends (Burlington County College on right). Turn right. You are still on Route 530. Follow Route 530 through two traffic lights (past the water tower on right and Pemberton Township Municipal Building on left). Turn right at the next street, Springfield Road. The Pinelands Commission is just ahead on left.